



PUBLIC NOTICE

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DA 02-1313

June 5, 2002

SETTLEMENT AGREEMENT BETWEEN ACS WIRELESS SUB, INC. AND COPPER VALLEY WIRELESS, INC. APPROVED

Pursuant to section 4(i) of the Communications Act, 47 U.S.C. § 154(i), and sections 0.331 and 1.935 of the Commission's rules, 47 C.F.R. §§ 0.331 and 1.935, the Policy and Rules Branch (Branch) of the Commercial Wireless Division, Wireless Telecommunications Bureau, has approved the Joint Motion for Dismissal and Approval of Settlement Agreement (Settlement Agreement) filed by ACS Wireless Sub, Inc. (ACS Wireless) and Copper Valley Wireless, Inc. (Copper Valley).¹

ACS Wireless filed a Phase II unserved area application to serve areas in the Anchorage, Alaska Metropolitan Statistical Area (MSA), File No. 0000421763, against which Copper Valley filed a petition to deny on June 1, 2001. On June 26, 2001, Copper Valley and ACS Wireless entered into the instant Settlement Agreement. The Branch has reviewed the record and finds that the Settlement Agreement complies with section 1.935 of the Commission's rules, and that it is in the public interest to approve the Settlement Agreement. The Branch concludes that this agreement will help to resolve any operational disputes between the two carriers, as well as ensure cellular coverage in the region. Accordingly, the Settlement Agreement is approved and associated petitions² are dismissed with prejudice.

Action by Chief, Policy and Rules Branch, Commercial Wireless Division, Wireless Telecommunications Bureau.

¹ Application of ACS Wireless License Sub, Inc. (Successor-In-Interest to ACS Wireless, Inc.) -- Licensee of Cellular Radiotelephone Service Station KNKA 480, Market No. 187(B), Anchorage, Alaska MSA – Phase 2 Unserved Area Application, File No. 0000421763, *Joint Motion for Dismissal and Approval of Settlement Agreement*, filed June 29, 2001.

² Application of ACS Wireless License Sub, Inc. (Successor-In-Interest to ACS Wireless, Inc.) -- Licensee of Cellular Radiotelephone Service Station KNKA 480, Market No. 187(B), Anchorage, Alaska MSA – Phase 2 Unserved Area Application, File No. 0000421763, *Petition to Deny*, filed June 1, 2001; Application of Copper Valley Cellular, Inc., For Authority to Implement Major Modifications to Domestic Public Sellular Radio Telecommunications Service Station KNKQ401, Market No. 316(B4), Alaska 2 (B4) – Bethal RSA, File No. 07115-CL-MP-94, *Petition for Reconsideration*, filed January 11, 1995.